

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7525 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -TARAPUR District- MUNGER

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1. Uday Kant Sharma @ Bikash Kumar S/o Ram Kishore Sharma, R/o
Village- Kahua, P.S.- Sangrampur, Distt.- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Adv.

For the Opposite Party/s : Mr. Sri Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 15-02-2018

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Tarapur Police Station Case No. 137 of 2017, disclosing offences under Sections 307, 353 and 188 of the Indian Penal Code and Section 4/40 of the Bihar Minor Minerals Concession Rule 1972 and Section 8 of the Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rule 2003.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happens to be driver of the alleged vehicle and he has also produced the valid Challan, which is at annexure-2, of the loaded sand over the



alleged vehicle before the police officials but non-fulfillment of illegal demand of the police, the alleged vehicle has been seized and the petitioner has been implicated in this case. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Munger, in connection with Tarapur Police Station Case No. 137 of 2017 (G.R. No. 1850 of 2017), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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